



FIDUCIARY BOARD

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

November 19, 2019
3:00 P.M.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Deborah Primock- Chair
Peter Santini

Telephonically Present:

Teresa Lancaster
Diana M. Corry
Elaine Acosta Sweet
Hon. Jay M. Polk
Sharon Yates

Absent:

Emily Kile
Leonard Montanaro
Belvet Elsouhag

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Hal White
Pasquale Fontana
William MacIntyre
Brianna Farmer
Dominique Cidro
Windy Mohamed

Guests:

Amy Goodwin
Heidi Ernst
Heather Bull
Becky Brimhall
Sidney Brimhall
Dawn Walters
Rick Kilfoy
Roger Coventry
Caroline Shoemaker
Nancy Bonnell
Jeanne Drabiak
Nicole Sabatina
Susan Robbins
Lina Garcia

Larry Scaringelli
Ann Lander
Charles Dyer
Jane Anne Geisler
Candess Hunter
Cathy Yoshida- Corella
Stephanie McCollum
Taylor Galas
Cathy Galas
Stephen Follett

CALL TO ORDER

Called to Order By:

Deborah Primock, Chair

Time:

3:11 p.m.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: Review, discussion and possible action regarding the regular session minutes of the meeting held on September 5, 2019.

Individual Addressing the Board: *Deborah Primock, Chair*

Discussion: None

Motion: Consideration of and motion to accept regular session minutes of the meeting held on September 5, 2019.

Motion Proposals: First Elaine Acosta Sweet
Second Peter Santini

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: Review, discussion and possible action regarding complaints 17-0027 and 17-0028 involving license holders Jeannean and Nicole Sabatina.

Individual Addressing the Board: Pasquale Fontana

Discussion: The Division recommends the Board enter a Final Order revoking the Fiduciary licenses of Jeannean Sabatina and Nicole Sabatina. The staff also recommends that all further open complaints involving the Sabatinas be held in abeyance.

Note: Nicole Sabatina and Larry Scaringelli speak.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Peter Santini
Motion Results: Pass

2-B: *Review, discussion and possible action regarding complaint 17-0023 involving license holder James Otis.*

Individual Addressing the Board: Meredith Vivona

Discussion: It is recommended that the Board accept the determinations of the Probable Cause Evaluator that probable cause exists that Mr. Otis committed the violations described in allegations 1 through 6, 8 through 11 and 13 and that probable cause does not exist as to allegations 7 and 12. It is further recommended the Board dismiss allegations 7 and 12 and issue a Censure as to allegations 1 through 6, 8 through 11 and 13.

Matter deferred until next meeting pending attendance by licensee and counsel.

2-C: *Review, discussion and possible action regarding complaint 19-0005 involving license holder Dawn Walters.*

Individual Addressing the Board: Mark Wilson

Discussion: It is recommended that the Board accept the determinations of the Probable Cause Evaluator that probable cause exists that Ms. Walters committed the alleged act(s) of misconduct described in allegation 1, but that probable cause does not exist for allegations 2 through 6. It is further recommended the Board issue the sanctions as described in the Investigation Summary and Probable cause Analysis Report.

Note: Dawn Walters, Rick Kilfoy and Stephen Follett speak.

Matter deferred until next meeting and licensee to report on status of court filing for instructions.

2-D: *Review, discussion and possible action regarding complaint 16-0014 and 16-0015 involving license holders Jason Cobb and Compass Fiduciary Group.*

Individual Addressing the Board: Mark Wilson

Discussion: It is recommended that the Board accept the determinations of the Probable Cause Evaluator that probable cause exists that Jason Cobb and Compass Fiduciary Group, LLC have committed the alleged act(s) of misconduct described in Allegations 1 and 2, but that

probable cause does not exist as to Allegations 3 and 4. It is further recommended the Board issue a Letter of Concern.

Note: Charles Deyer (counsel for licensee) speaks.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Teresa Lancaster

Motion Results: Pass

2-E: *Review, discussion and possible action regarding complaint 18-0038 involving license holder Leslie Mann-Damon.*

Discussion: Matter deferred.

2-F: *Review, discussion and possible action regarding complaint 18-0050 involving license holder Custom Care & Financial Solutions.*

Discussion: Matter deferred.

2-G: *Review, discussion and possible action regarding complaint 18-0058 and 18-0059 involving license holders Jane Geisler and Managed Protective Services.*

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Jane Geisler and MPS have committed the alleged act(s) of misconduct as detailed in Allegations 3, 4 and 6. If further recommended the Board issue a Letter of Concern.

Note: Candess Hunter (counsel for licensee) and Jane Geisler speak.

Motion: Consideration of and motion to reject staff's recommendation and dismiss the complaints.

Motion Proposals: First Elaine Acosta Sweet
Second Peter Santini

Motion Results: Pass

2-H: *Review, discussion and possible action regarding complaint 18-0003, 18-0004 and 18-0005 involving license holders Childers & Coventry, LLC, Donal Childers and Roger Coventry.*

Individual Addressing the Board: William MacIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Donal Childers, Roger Coventry and Childers & Coventry have not committed the alleged act(s) of misconduct as detailed Allegation 1 through 6. It is further recommended the Board dismiss complaints.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Peter Santini
Second Sharon Yates

Motion Results: Pass

Note: Item 3 taken out of order. Considered before item 2.

3) INITIAL LICENSURE AND ELIGIBILITY

3-A: *Review, discussion and possible action regarding the following applications for initial individual and business licensure:*

1. Sidney Brimhall
2. Taylor Galas
3. Brendalee Littlejohn
4. Phillip Peek
5. Devin Brown
6. Meher Services, LLC
7. Amy Goodwin

Individual Addressing the Board: Mark Wilson

Discussion: The Division recommends approval of initial individual fiduciary and business licensure for the following applicants:

1. Sidney Brimhall
2. Taylor Galas
3. Brendalee Littlejohn
4. Phillip Peek
5. Devin Brown
6. Meher Services, LLC

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Teresa Lancaster
Second Peter Santini

Motion Results: Pass

Individual Addressing the Board: Mark Wilson

Discussion: The Division recommends approval of initial individual fiduciary licensure with standard non-disclosure language for the following applicant:

7. Amy Goodwin

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Acosta Sweet
Second Diana M. Corry

Motion Results: Pass

4) RENEWAL CERTIFICATION APPLICATIONS

4-A: *Review, discussion and possible action regarding the following applications for renewal of individual and/or business entity licensure:*

- | | |
|----------------------|---|
| 1. Braddock, Lori | 10. Paz, Sandra |
| 2. Crosby, Elizabeth | 11. Integrated Fiduciary Services, Inc. |
| 3. Flores, Patricia | 12. Arizona Elder Care, LLC |
| 4. Fuss, Charles | 13. Stubler Fiduciary Services LLC |
| 5. Goldman, Ronald | 14. Sanelli, Mark |
| 6. Goldman, Jennifer | 15. Jason Cobb |
| 7. Holcomb, Sarah | 16. Compass Fiduciary |
| 8. Hoover, Taryn | 17. Jane Anne Geisler |
| 9. Lauro, Christina | 18. Managed Protective Services, Inc. |

Discussion: Matter deferred.

5) LICENSURE AND ELIGIBILITY

5-A: *Review, discussion, and possible action regarding the voluntary surrender of licensure received from Donal Childers.*

Discussion: Matter deferred.

5-B: *Review, discussion, and possible action regarding the request to retake the Fiduciary Program Examination from the following individuals:*

1. Antoinette Nelson
2. Lorena Velasquez

Discussion: Matter deferred.

CALL TO THE PUBLIC

Individuals Addressing the Board: None

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Peter Santini
Second Elaine Acosta Sweet

Motion Results: Pass

Time: 5:13 p.m.

Initials: DC